

CERTIFIED TRUE AND
CORRECT COPY OF ORIGINAL

IN THE COURT OF COMMON PLEAS OF BEAVER COUNTY
PENNSYLVANIA
CIVIL DIVISION

In Re: Beaver County Local Rules
of Orphans' Court

No. 10937 of 2016

FILED OR ISSUED
2016 JUL 18 PM 2:40
NANCY WEINSTEIN
PROTHONOTARY
BEAVER COUNTY, PA

ADMINISTRATIVE ORDER

McBride, P.J.

July 18, 2016

The Supreme Court of Pennsylvania having adopted new Orphans' Court Rules with an effective date of September 1, 2016, it is hereby Ordered and Decreed that Beaver County Local Orphans' Court Rules are hereby adopted, after publication in the *Pennsylvania Bulletin* and on the Pennsylvania Judiciary's web application portal, with an effective date to coincide with the effective date of the new Supreme Court Orphans' Court Rules, i.e., September 1, 2016.

1. Local Rule 1.3. Definitions.

"Publication." The Beaver County Legal Journal shall be the legal periodical for the publication of notices whenever publication in a legal periodical is required by Act of Assembly, the Pennsylvania Orphans' Court Rules or by Order or Decree of Court.

2. Rules Governing Specific Types of Petitions.

Local Rule 5.16. Settlement of Small Estates.

Form of Petitions. Contents. Petitions Under Probate, Estates and Fiduciaries Code § 3102 for distribution of small estates shall set forth:

1. The name and address of the petitioner and his/her relationship to the decedent.

2. The name, date of death and domicile of the decedent, whether he/she died testate or intestate, the dates of the probate of the Will and of the Grant of Letters, if any, and whether the personal representative has been required to give bond, and in what amount.

3. The names and relationships of all beneficiaries entitled to any part of the estate under the Will or intestate laws, a brief description of their respective interests, whether any of them has received or retained any property of the decedent by payment of wages under Probate, Estates and Fiduciaries Code § 3102, or otherwise, and whether any of them are minors, incapacitated persons or deceased, with the names of their fiduciaries, if any.

4. The person or persons, if any, entitled to the family exemption and, if a claim therefor is made in this petition, any additional facts necessary to establish the prima facie right thereto, as required by Pennsylvania Orphans' Court Rule 5.2.

5. An inventory of the real and personal estate of the decedent, with values ascribed to each item, either incorporated in the petition or attached as an exhibit.

6. A list showing the nature, amount and preference of all unpaid claims against the estate and indicating which are admitted.

7. If any unpaid beneficiary, heir or claimant has not joined in the petition, a statement that twenty (20) days' notice of intention to present the petition has been given in accordance with these rules.

8. A prayer for distribution of the personal property to those entitled, and in appropriate cases, for the discharge of the personal representative.

Exhibits. There shall be attached to the petition the following exhibits:

1. The original of the Decedent's Will if it has not been probated, or a copy of the Will if it has been probated.

2. Joinders of unpaid beneficiaries, heirs and claimants insofar as they are obtainable.

3. An itemized list of disbursements made prior to the filing of the petition, indicating the payee and whether the disbursements were in payment of administration expenses, preferred or ordinary debts, item of distribution or the family exemption.

4. Certificate of Register of Wills showing status of the inheritance tax.

Appraisements. No appraisalment shall be required unless ordered by the Court.

Auditors and Masters

3. Local Rule 9.1. Notice of Hearings.

Auditors and Masters shall provide notice of hearings to be held by them to all interested parties, or to their counsel of record, in writing, at least thirty (30) days prior to the scheduled hearing.

Local Rule 9.6. Notice of Filing Report.

Auditors and Masters shall provide a copy of the report filed with the Orphans' Court to all interested parties, or to their counsel of record, simultaneously with filing of the report with the Court.

Local Rule 9.7. Confirmation of Report.

Interested parties shall have the right to file objections to an Auditor's or Master's report within twenty (20) days following filing of the report with the Court. If objections are filed, the Court will schedule argument on the matters at issue. If no objections are filed to the report within the required twenty (20) day period or following argument before the Court, the Court may enter an appropriate Decree to confirm the Auditor's report or adopting the Master's report, in full, or as modified following argument.

The District Court Administrator is Directed to:

1. file one (1) certified copy of the Local Rules with the Administrative Office of Pennsylvania Courts for publication on the Pennsylvania Judiciary's web application portal;
2. submit two (2) certified paper copies of the Local Rules and a copy on computer diskette or CD-ROM containing the text of the Local Rules to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;
3. submit one (1) certified copy of the Local Rules to the Supreme Court Orphans' Court Procedural Rules Committee;
4. publish a copy on the Beaver County Court of Common Pleas website, i.e., <http://www.beavercountypa.gov/courts/courts-common-pleas>, after publication in the *Pennsylvania Bulletin*, but no later than September 1, 2016;
5. keep a copy continuously available for public inspection and copying in the Office of the Clerk of the Orphans' Court of Beaver County; and

6. keep a copy continuously available for public inspection and copying in the Beaver County Law Library.

BY THE COURT,


P.J.

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2016 JUL 18 P 1:47

JOHN D. MCBRIDE
PRESIDENT JUDGE

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NANCY WERNER
PROTHONOTARY
BEAVER COUNTY, PA

I, Nancy Werner, Prothonotary
Court of Common Pleas of Beaver County,
do certify that this is a true and correct
copy of the original record.
Date: 7-18-16 Nancy Werner
By: [Signature]
Prothonotary
Deputy